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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

#20 / Appeal
Brief
M. Watts
12/18/02
173

First Named
Inventor : Michael W. Pfeiffer et al.
Appln. No. : 09/129,468
Filed : August 4, 1998
For : ASSEMBLY DEVICE FOR
COMPONENTS OF A DATA STORAGE
SYSTEM AND METHOD OF ASSEMBLY
THEREFOR
Docket No.: S01.12-0448

Appeal No.
Group Art Unit: 3729
Examiner: Minh N.
Trinh

RESPONSE TO NOTICE OF NON-COMPLIANCE

Commissioner for Patents
Washington, D.C. 20231

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TECHNOLOGY CENTER R3700

I HEREBY CERTIFY THAT THIS PAPER IS BEING
SENT BY U.S. MAIL, FIRST CLASS, TO THE
ASSISTANT COMMISSIONER OF PATENTS,
WASHINGTON, D.C. 20231, THIS

5 DAY OF December 2002

Deudhe Zkvale
PATENT ATTORNEY

Sir:

Applicants submit the enclosed Substitute Brief for Appellant in response to the Notice of Non-Compliance with 37 CFR § 1.192(c) mailed November 5, 2002.

Applicants' brief, as originally filed, contained a statement regarding the claims pending and cancelled and identified the claims appealed as set forth in 37 CFR § 1.192(c)(3). Applicants have amended the status of the claims to recite that no claims are allowed, claims 1-15 and 21-26 are pending and rejected and that claims 11-15 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112. In particular, Applicants identify that claims 1-15 and 21-26 are pending and rejected, claims 16-20 are cancelled and claims 1-15 and 21-26 are appealed in compliance with 37 CFR § 1.192(c)(3).

The Notice of Non-Compliance states that the brief "does not contain a concise statement of issues, i.e. as to whether all claims are [sic] stand rejected under 35 U.S.C. § 112 and which claims are [sic] stand rejected under prior art, 35 U.S.C. § 102, or which claims are [sic] stand rejected under 35

U.S.C. § 103". The Substitute Brief includes amended issues presented for review with corresponding argument presented under separate headings reciting the statute sections under which the claims are rejected.

A statement that the claims of each claim group do not stand or fall together has been added for compliance with 37 CFR § 1.192.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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